



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Norman H. Bangerter
Governor
Dee C. Hansen
Executive Director
Robert L. Morgan
State Engineer

Southern Area
130 North Main Street
P.O. Box 563
Richfield, Utah 84701-0563
801-896-4429

August 16, 1989

CERTIFIED MAIL - P075646796
RETURN RECEIPT REQUESTED

RECEIVED
AUG 21 1989
WATER RIGHTS
SALT LAKE

Erle Wittwer
1074 West 560 North
St. George, Utah 84770

Dear Mr. Wittwer:

It has been brought to my attention by Sevier River Commissioner, Ray Owens that the Bear Creek Canal has been over diverting beyond your water right.

Please be aware this cannot be tolerated especially in view of the critical low flows we have this year.

Therefore, this letter will serve as official notice that if further violations occur in over-diverting for the Bear Creek Canal from this date forward, legal action will be taken.

I would appreciate your immediate attention and cooperation to this matter.

Sincerely,

M. Stanley Adams, P.E.
Area Engineer

MSA/clw

cc: Ray Owens, Sevier River Commissioner
Lee Sim, Directing Engineer for Distribution
John Mabey, Attorney Generals Office
Bear Creek Irrigation Company c/o Danny Perkins